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California Regional Water Quality Control Board

Central Valley Region

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24 May 2004

Scott Klann
Twisted Oak Winery, LLC
P.O. Box 2385
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NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 TWISTED OAK WINERY, CALAVERAS COUNTY

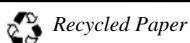
Regional Board staff has reviewed your February 2004 Report of Waste Discharge (RWD) and subsequently submitted information for coverage under Resolution R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included a *Notice of Non-Applicability* for compliance with the storm water General Permit and an \$872 filing fee. Our review finds the RWD to be complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed), adopted by the Regional Board on 11 July 2003, is a conditional waiver of waste discharge requirements for small food processors including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater to be produced.

Discharge Description

Twisted Oak Winery, LLC (Discharger) owns the Twisted Oak Winery at 4280 Red Hill Road in Vallecito, Calaveras County. The winery is on 120 acres that includes a 9-acre vineyard. The majority of the site consists of undisturbed land with native grasses, mature oaks, and brush. Future plans include increasing the size of the vineyard by approximately 10 acres. The Discharger estimates that approximately 120 tons of grapes will be crushed, 7,500 cases of wine will be produced, and less than 100,000 gallons of wastewater will be generated annually at the facility. All activities producing wastewater will be conducted under the cover of an enclosed building or roofing, and process wastewater will be piped directly to a 1,000-gallon storage tank. Once the tank is 75% full, the wastewater will be pumped automatically to the land application area. If irrigation of the land application area must be postponed, wastewater will be directed from the 1,000-gallon storage tank to two 6,500-gallon storage tanks. The wastewater in the two 6,500-gallon tanks can then be pumped to the land application area once site conditions are appropriate for irrigation.

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The primary method of wastewater disposal will be the spray irrigation of five acres of forage grasses. In addition to this area, wastewater may also be used for the irrigation of landscaping and the vineyard. The Discharger has estimated the maximum volume and strength of wastewater that will be produced and has calculated the expected maximum hydraulic and agronomic loading rates for the proposed disposal area. Based on these calculations, the proposed primary disposal area (five acres of forage grasses) should have adequate hydraulic and nutrient uptake capacity to receive the total wastewater discharge from this facility and remain protective of groundwater and surface water quality. The Discharger has identified several Best Management Practices that will be followed in order to minimize wastewater strength and potential odor problems, and to prevent hydraulic or nutrient overloading. The estimated volume of wastewater used to calculate the maximum loading rates was 100,000 gallons per year. The Discharger has installed an in-line flow meter between the 1,000-gallon storage tank and the two 6,500-gallon holding tanks in order to monitor wastewater flows. Meter readings will be recorded at least weekly during the crush and at least monthly during the remainder of the year. Wastewater volume data will be compiled and included in an annual report.

If prolonged precipitation or operational issues arise, the Discharger will hire Sweet Pea Septic or Roto-Rooter to transport and dispose of the wastewater at the Sierra Septic Company facility in Ione or Tuolumne Utilities District wastewater treatment facility in Sonora.

Solid waste produced by the facility will consist of grape stems, pomace, and lees. It is estimated that no more than four tons of stems, twelve tons of pomace, and four tons of lees will be generated annually. Solid waste will be stored and composted on a 10-foot by 30-foot bermed pad that will be covered during precipitation events so that stormwater will not contact the solids. The composted waste will be applied to the 9-acre vineyard and the landscaped area during dry periods. The exact amount of acres that will be dedicated as landscaped areas has not yet been determined. When applied to bare land, the waste will be tilled into the soil. When applied to established landscaping areas, the waste will be spread without tilling.

As a contingency solid waste management option, the Discharger will transport the waste to the Calaveras County Solid Waste Disposal Facility for disposal.

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of wastewater produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual report must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. If the method of winery wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with filing fee to renew the waiver, or cease the discharge.

If your total annual flow exceeds 100,000 gallons per year, the waiver is no longer applicable to your facility and you must submit a new RWD for individual Waste Discharge Requirements.

If you have any questions, please contact Scott Kranhold at (916) 464-4689

--Original Signed By--

THOMAS R. PINKOS
Executive Officer

enc: General Order No. R5-2003-0106

cc: w/o enc Calaveras County Environmental Health Department, Angels Camp
Theresa Ballaine, Veras Resources, Murphys